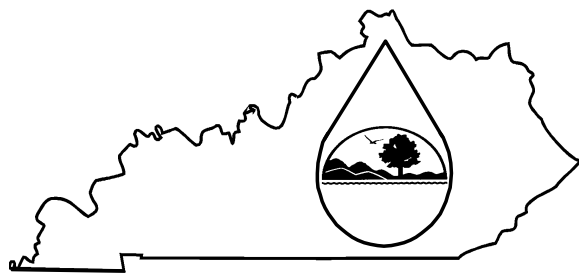


FORM NOI-CM



KENTUCKY POLLUTION DISCHARGE ELIMINATION SYSTEM (KPDES)

Permit Application for General Permit Coverage For Coal Mining Operations

This is an application for:

- ☐ New mining operation coverage.
☐ Modification of coverage for additional area in same watershed.
☐ Modification of coverage for additional area in different watershed.
☐ Previously covered by an individual permit.

In order to qualify for coverage under the *Coal General Permit*, the coal mining operation must have obtained or is obtaining a Permit Program Permit from the Department for Surface Mining Reclamation and Enforcement (DSMRE) (except those operations listed in Part III of the *Coal General Permit*).

**For additional information contact:
KPDES Branch (502) 564-3410**

If Modification is checked, state reason for Modification:

For Agency Use	Permit No. (Leave Blank)	K	Y	G	0	4				
For Agency Use	AI ID (Leave Blank)									

SECTION I – PERMITTEE INFORMATION

Applicant Name:	
Mailing Address:	
City, State, Zip Code:	
Contact Name:	
Contact Phone Number:	Work # () - Pager # () -

SECTION II – GENERAL SITE INFORMATION

1. Attach a full size color USGS 7½-minute quadrangle map with the facility site clearly marked. USGS maps may be obtained from the University of Kentucky, Mines and Minerals Bldg. Room 106, Lexington, Kentucky 40506. Phone number (859) 257-3896.	
2. Attach a copy of the Mining and Reclamation Plan map and the Environmental Resources Information map.	
3. DSMRE Number:	4. Type of Operation:
5. County where facility is located:	6. Nearest community:
7. Nearest public road intersection:	8. Nearest named stream:
9. Facility Site Latitude (degrees, minutes, seconds):	Facility Site Longitude (degrees, minutes, seconds):
10. Method used to obtain latitude and longitude (see instructions):	
11. Surface disturbance acreage:	12. Underground acreage:

SECTION III – SPECIFIC SITE INFORMATION

Number of sediment structures proposed:	(complete sediment structure inventory table on page 3)
Number of fills proposed:	(complete fill inventory table on page 4)
Number of stream crossings proposed:	(complete stream crossings inventory table on page 4)
Nearest downstream public water supply:	
Distance in stream miles to nearest downstream public water supply:	

SECTION IV – COE CWA SECTION 404 PERMIT INFORMATION

Has a Clean Water Act Section 404 permit been obtained from the Army Corps of Engineers for any or all sediment structures, fills or stream crossings?

Permit Number:

Permit Issuance Date:

Activities covered by permit:

SECTION V – OTHER ENVIRONMENTAL APPROVALS AND PERMIT INFORMATION

CATEGORY	EXISTING PERMIT WITH NUMBER	PERMIT NEEDED WITH PLANNED APPLICATION DATE
401 Water Quality Certification		
Drinking Water		
Wastewater Construction		
Water Withdrawal		
Air Emissions		
Solid or Special Wastes		
Hazardous Waste Registration /Permit		

SECTION VI – STREAM CHARACTERISTICS

This requirement applies to new operations or existing operations expanding into a new watershed. It does not apply to existing operations which are not expanding into a new watershed or when only underground acreage is being added to an existing operation.

Complete a Stream Characteristics Data Sheet (page 5) for each of three locations on each receiving stream.

SECTION VII – BEST MANAGEMENT PRACTICES (BMP) PLAN

Check one the following boxes.

☐ The company wide generic Coal BMP Plan shall be implemented for this activity within 90 days of the granting of coverage under the KPDES Coal General Permit.☐ A site specific BMP shall be developed, and implemented for this activity within 90 days of the granting of coverage under the KPDES Coal General Permit.☐ The Oil & Grease requirements of the KPDES Coal General Permit shall be followed.**SECTION VIII – CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME AND OFFICIAL TITLE
(Type or Print)Telephone Number:
(Area Code and Number)

() -

SIGNATURE:

DATE:

SECTION IX – NOI PREPARER INFORMATION

Preparer Name:			
Mailing Address:			
City, State, Zip Code:			
Phone Number:	Home # () -	Work # () -	Pager # () -

This completed application form and attachments should be sent to: KPDES Branch, Division of Water, Frankfort Office Park, 14 Reilly Road, Frankfort, Kentucky 40601. Questions should be directed to: KPDES Branch, Inventory and Data Management Section at (502) 564-3410.

Sediment Structure Inventory

[illegible]

Instructions

ID Number:	Provide the structure's identification number.
Upland/In stream:	Indicate whether the structure is on the bench, in-stream or upland.
Permanent/Temporary:	Indicate whether the structure is permanent or temporary
Drainage Area:	Provide the contributing drainage area in acres.
Activities:	List the types of activities within the contributing drainage area, i.e; fills, haul roads, surface mines, underground mines, etc.
Latitude:	Provide the latitude of the structure.
Longitude:	Provide the longitude of the structure.
Receiving Stream:	Name of the water body, which receives the structure's discharges.

(Attach additional pages if necessary)

Fill Inventory

ID Number	Permanent/Temporary	Fill Size (acres)	Watershed Size (acres)	Latitude (dd-mm-ss)	Longitude (dd-mm-ss)	Impacted Stream (name)

Instructions

ID Number: Provide the structure's identification number.
Permanent/Temporary: Indicate whether the fill is permanent or temporary
Size: Provide the size of the fill in acres.
Watershed: Provide the watershed size in acres above the lowest point of the permanent fill.
Latitude: Provide the latitude of the fill.
Longitude: Provide the longitude of the fill.
Impacted Stream: Name of the water body in which the fill is being placed.

(Attach additional pages if necessary)

Stream Crossings Inventory

ID Number	Permanent/Temporary	Stream Crossing Type	Watershed Size (acres)	Latitude (dd-mm-ss)	Longitude (dd-mm-ss)	Impacted Stream (name)

Instructions

ID Number: Provide the stream crossing's identification number.
Permanent/Temporary: Indicate whether the stream crossing is permanent or temporary
Type: Provide the type of crossing, i.e. bridge, culvert, low water, etc.
Watershed: Provide the watershed size in acres above the stream crossing.
Latitude: Provide the latitude of the stream crossing.
Longitude: Provide the longitude of the stream crossing.
Impacted Stream: Name of the water body in which the stream crossing is being placed.

(Attach additional pages if necessary)

Stream Characteristics Data Sheet

STREAM NAME:		LOCATION:	
STATION:	MILE POINT:	Basin/Watershed:	
LATITUDE:	LONGITUDE:	County:	TOPO MAP:
DATE:	TIME: <input type="checkbox"/> AM <input type="checkbox"/> PM	Investigators:	

WEATHER:			
Now	Past 24 Hours	Has there been a heavy rain in the last 7 days? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>	Air Temperature °C	
<input type="checkbox"/>	<input type="checkbox"/>	Rainfall in past 24 hours inches	
<input type="checkbox"/>	<input type="checkbox"/>	Cloud Cover %	
<input type="checkbox"/>	<input type="checkbox"/>		

P-Chem Features:	Temperature °C	pH	Standard Units	Specific Conductance	µmho/cm
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INSTREAM WATERSHED FEATURES: Stream width: _____ ft Range of depth: _____ ft Average Velocity: _____ ft/s Discharge: _____ cfs Estimated Reach Length: _____ ft Hydraulic Structures: <input type="checkbox"/> Dams <input type="checkbox"/> Bridge Abutments <input type="checkbox"/> Island <input type="checkbox"/> Waterfalls <input type="checkbox"/> Other Channel Alterations: <input type="checkbox"/> Dredging <input type="checkbox"/> Channelization <input type="checkbox"/> Full <input type="checkbox"/> Partial Stream Flow: <input type="checkbox"/> Dry <input type="checkbox"/> Pooled <input type="checkbox"/> Low <input type="checkbox"/> Normal <input type="checkbox"/> High <input type="checkbox"/> Very Rapid or Torrential Stream Type: <input type="checkbox"/> Perennial <input type="checkbox"/> Intermittent <input type="checkbox"/> Ephemeral <input type="checkbox"/> Seep	LOCAL WATERSHED FEATURES: Predominant Surrounding Land Use <input type="checkbox"/> Surface Mining <input type="checkbox"/> Construction <input type="checkbox"/> Forest <input type="checkbox"/> Deep Mining <input type="checkbox"/> Commercial <input type="checkbox"/> Pasture/ Grazing <input type="checkbox"/> Oil Wells <input type="checkbox"/> Industrial <input type="checkbox"/> Silviculture <input type="checkbox"/> Land Disposal <input type="checkbox"/> Row Crops <input type="checkbox"/> Urban Runoff/ Storm Sewers Riparian Vegetation: Dominate Type <input type="checkbox"/> Trees <input type="checkbox"/> Shrubs Dom. Tree/Shrub Taxa <input type="checkbox"/> Grasses <input type="checkbox"/> Herbaceous _____ Number of strata _____ Canopy Cover: <input type="checkbox"/> Fully Exposed (0 – 25%) <input type="checkbox"/> Partially Exposed (25 – 50%) <input type="checkbox"/> Partially Shaded (50 – 75%) <input type="checkbox"/> Fully Shaded (75 – 100%)
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Substrate (Estimated)	Riffle %	Run %	Pool %
Silt/Clay (<0.06 mm)			
Sand (0.06 – 2 mm)			
Gravel (2 – 64 mm)			
Cobble (64 – 256)			
Boulders (>256 mm)			
Bedrock			

A minimum of three photographs of the receiving stream shall be provided with this data sheet. The views depicted in these pictures will include the immediate site where the discharge will enter the receiving stream, looking downstream of the immediate site, and looking upstream of the immediate site. If the NOI is being submitted as a hard copy then attach a separate sheet with the pictures attached with appropriate captioning (i.e. include stream name, latitude, longitude, and the view being presented). If the NOI is being submitted in an electronic format (CD or e-mail) attach a separate file containing the pictures with the appropriate captioning as aforementioned.

Instructions

Stream Name:	Provide stream name as designated on the USGS 7.5 minute topographic map.
Location:	Provide of the nearest road intersection
Station:	Indicate the name of the station being characterized.
Mile Point:	Indicate the stream mile point of the station
Latitude:	Provide the latitude of the station.
Longitude:	Provide the longitude of the station.
County:	Indicate the county
Topo Map:	Provide the quadrangle name of the USGS 7.5 minute topographic map
Date:	Indicate the date of the investigation.
Time:	Indicate the time of the investigation. Check AM or PM
Investigators:	Provide the name of the person or persons performing the characterization.
Weather:	Describe the recent weather conditions.
P-Chem:	Collect and analyze samples of the receiving stream for Temperature, pH and Specific Conductance.
Instream Watershed Features:	Provide dimensions of the characteristics listed.
Local Watershed Features:	Indicate predominant surrounding land use.

Additional instructions can be found at the following web address: http://water.nr.state.ky.us/dow/SOP_Manual.htm

(Attach additional pages as necessary)

KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

FORM NOI-CM – INSTRUCTIONS

Listed below are explanations of select Form NOI-CM questions. If further information is needed concerning any questions, please contact the Division of Water at (502) 564-3410.

The following types of activities are **not eligible for coverage** under the KPDES Coal General Permit and must obtain individual KPDES permits.

- a. The coal mining operation has not been permitted under KRS Chapter 350.
- b. New or expanded operations proposing to discharge directly into a receiving stream that has been classified as a Coldwater Aquatic Habitat or as an Outstanding State Resource Water as listed in 401 KAR 5:026, Section 5.
- c. New or expanded operations proposing to discharge directly into or to a direct first or second order tributary of a Publicly-owned Lakes or Reservoirs as listed in 401 KAR 5:026, Section 5.
- d. New or expanded operations proposing to discharge directly into a receiving stream that has been classified as an Outstanding National Resource Water or as an Exceptional Waters as listed in 401 KAR 5:030, Section 3.
- e. New or expanded operations involving the dredging of coal from a water of the Commonwealth.
- f. New or expanded operations involving the wet beneficiation (washing) of coal.
- g. New or expanded operations involving the disposal of coal slurry into waters of the Commonwealth or underground injection.
- h. Any operation using or proposes to use Anhydrous Ammonia as a treatment option.
- i. New or expanded operations within five (5) miles upstream of an existing drinking water intake.
- j. Any operation discharging to a water of the Commonwealth that has been listed, in the most recently developed 303(d) list, as impaired for one or more of the pollutants commonly associated with coal mining and a Total Maximum Daily Load (TMDL) has been developed.
- k. Any operation that meets the definition of a coal remining operation found in Coal Mining Effluent Guidelines (Subpart G of 40 CFR Part 434).
- l. Any operation proposing to dispose of solid or special wastes within the mining area.

The Notice of Intent (NOI) is to be submitted to the Division of Water at the same time as the preliminary application is filed with the Department for Surface Mining Reclamation and Enforcement. Should changes in the proposed activity occur then a revised NOI will be required.

Please be sure to indicate the purpose of the application by checking the appropriate box on the top right portion of the form. If the operation has not been previously, covered by a KPDES Permit then check “New Mining Operation Coverage”.

SECTION I – PERMITTEE INFORMATION

Applicant Name: Provide the name of the DSMRE permit holder.

Mailing Address, City, State, and Zip Code: Provide the mailing address of the DSMRE permit holder

Contact Name: Provide the name of the person who is responsible for the operation.

Contact Phone No. : Provide the telephone numbers of the person who is responsible for the operation.

SECTION II – GENERAL SITE INFORMATION

DSMRE No.: Provide the DSMRE Permanent Program Permit number.

Type of Operation: Eligible types of mining activities are limited to: coal load outs; haul roads; refuse disposal sites (excluding slurry); surface mines; tipples; and underground mines.

County where facility is located: County in which the facility is primarily located.

Nearest Community: Provide the name and distance of the nearest community

Nearest public road intersection: Provide the nearest state road intersection and distance.

Nearest named stream: Provide the name of the nearest name water of the Commonwealth (use the 7 ½ minute topographic map)

Latitude/Longitude: Provide the general site latitude and longitude of the operation.

Method used to obtain latitude and longitude: (i.e. topographic map coordinates, GPS reading, etc.)

Surface Disturbance/Underground Acreage: List the acreages of each.

SECTION III – SPECIFIC SITE INFORMATION

Number of sediment structures proposed: Enter the number of sediment structures proposed and complete the Sediment Structure Inventory chart.

Number of fills proposed: Enter the number of sediment structures proposed and complete the Fill Inventory chart.

Number of stream crossings proposed: Enter the number of sediment structures proposed and complete the Stream Crossings Inventory chart.

Nearest downstream public water supply: Name of the nearest downstream public drinking water supply.

Distance in stream miles to nearest downstream public water supply: Distance in stream miles.

SECTION IV – COE CWA SECTION 404 PERMIT INFORMATION

Has a Clean Water Act Section 404 permit been obtained from the Army Corps of Engineers: Yes or No

Permit Number: Provide the COE Section 404 permit.

Permit Issuance Date: Provide issuance.

Activities covered by permit: List the activities covered by the COE Section 404 permit.

SECTION V – OTHER ENVIRONMENTAL APPROVALS AND PERMIT INFORMATION

Existing permit with number: Indicate the type of permit obtained and its number

Permit needed with planned application date: Indicate the type of permit needed and when the application will be filed.

SECTION VI – STREAM CHARACTERISTICS

This requirement applies to new operations or existing operations expanding into a new watershed. It does not apply to existing operations which are not expanding into a new watershed or when only underground acreage is being added to an existing operation.

Each receiving stream shall be characterized by data collection at a minimum of three sites, one at the proposed discharge location, one upstream and one downstream. If there is more than one discharge location within the watershed then the locations shall be one downstream of all proposed discharge locations, one upstream, and one approximately half the distance between the upstream and downstream locations. At each location, a Stream Characteristics Data Sheet shall be completed. Photographs of the receiving stream at each location shall be provided. At least three photographs per site shall be provide, one of the site, one looking downstream and one looking upstream.

SECTION VII– BEST MANAGEMENT PRACTICES (BMP) PLAN

Check one of the three boxes to indicate how the facility will comply with the Oil & Grease requirements of the KPDES Coal General Permit.

SECTION VIII – CERTIFICATION

The permit application must be signed as follows:

Corporation: by a principal executive officer of at least the level of vice president

Partnership or sole proprietorship: by a general partner or the proprietor respectively

SECTION IX – NOI PREPARER INFORMATION

Preparer Name: Provide the name of the person who prepared the NOI

Mailing Address, City, State, and Zip Code: Provide the mailing address of the person who prepared the NOI

Preparer Phone No.: Provide the telephone numbers of the person who prepared the NOI

NOTE:

In addition to the completed and signed NOI-CM and attachments the following items are to be included with the submittal for a “new mining operation” or “modification of, coverage for additional area in a different watershed”.

The KPDES FORM NOI-CM, and accompanying instructions are available from the Division of Water’s web site at <http://water.nr.state.ky.us/dow/descrip.html>. The NOI may be submitted by either an electronic format (Compact Disk (CD) or Web base) or on paper; CD version preferred.

The aforementioned forms and documents are to be submitted to the Division of Water at the following address:

Section Supervisor
Inventory & Data Management Section
KPDES Branch
Division of Water
14 Reilly Road
Frankfort, Kentucky 40601